



09-06-02

2834

6/Electronic  
Cuevas  
9/11/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michl et al

: Group Art Unit: 2834

Serial No.: 09/812,647 \

: Examiner: Cuevas, P.

Filed: March 20, 2001

: Confirmation No.: 3320

For: MOLECULAR DIPOLAR ROTORS

RECEIVED  
SEP - 9 2002  
TECHNOLOGY CENTER 280C

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed August 8, 2002, please enter the following response.

REMARKS

The Restriction Requirement mailed August 8, 2002, divided the claims into the following four groups:

Group I, claims 1-20, drawn to a molecular dipolar rotor;

Group II, claims 21 and 23, drawn to a molecular dipolar rotor having two H atoms;

Group III, claim 22, drawn to a molecular dipolar rotor having two NC and two OMe group linked to a carbon structure; and

Group IV, claims 24 and 25, drawn to a molecular dipolar rotor having 5 -Hg-S-Z' groups, where Z' is  $-(CH_2)_n-Si(OR)_3$ , n is an integer from 0 to 15, and R is an alkyl group.

In response to the Restriction Requirement mailed August 8, 2002, Applicants elect Group I, claims 1-20, with traverse.

The Restriction Requirement stated that Groups I and II, III or IV are related as subcombinations disclosed as usable together in a single combination. The Restriction Requirement stated that subcombinations are distinct from each other as they are shown

to be separately usable, and in this case, Group I "has separate utility such as constituting a molecular dipolar rotor with a different chemical composition." In response, it is noted that claim 1 is generic for the claims in Groups II, III and IV, and the claims in Groups II, III and IV represent species of that genus. In this case, a search for Group I will encompass Groups II, III and IV, and therefore, examination of all claims together should not represent a serious burden on the Examiner.

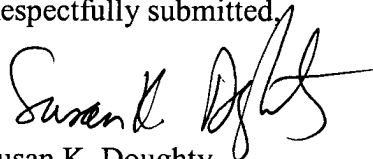
The Restriction Requirement stated that Groups II, III and IV are related as combination and subcombination and "the combination as claimed does not require the particulars of the subcombination as claimed because each molecular dipolar rotor has a special and patentably distinct chemical composition. This subcombination has separate utility such as creating a molecular dipolar rotor with different operation characteristics." In response, it is not clear which Group is meant to be the combination for which the other Groups are subcombinations. Further guidance on this issue is respectfully requested. As discussed above, Groups II, III and IV represent different species of the generically claimed molecular dipolar rotor claimed in claim 1.

#### CONCLUSION

In view of the above, reconsideration and withdrawal of the restriction requirement is respectfully requested.

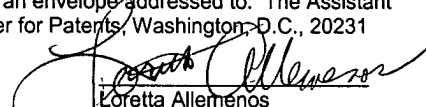
It is believed that the present submission does not require the payment of any fees. If this is incorrect, however, please charge any fee due to Deposit Account No. 07-1969.

Respectfully submitted,



Susan K. Doughty  
Reg. No. 43,595

**GREENLEE, WINNER & SULLIVAN, P.C.**  
5370 Manhattan Circle, Suite 201  
Boulder, CO 80303  
Telephone: (303) 499-8080  
Facsimile: (303) 499-8089  
Email: [winner@greenwin.com](mailto:winner@greenwin.com)  
lla: Attorney docket No. 68-00

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for Express Mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C., 20231	
September 4, 2002 Date	 Loreta Allemenos
EV 182439451US Express Mail Tracking Number	